§ 165.122 Regulated Navigation Area: Navigable waters within Narragansett Bay and the Providence River, Rhode Island.

(a) Description of the regulated navigation area (RNA). The Regulated Navigation Area (RNA) encompasses all of the navigable waters of Narragansett Bay north of the COLREGS demarcation line and west of the Mt. Hope Bridge, and all of the navigable waters of the Providence River from Conimicut Point to the Providence hurricane barrier.

(b) Regulations.

(1) All vessels over 65 feet in length in-bound for berths in Mount Hope Bay or in the Taunton River are required to make SECURITE calls on both VHF channels 13 and 16 at the following geographic locations:

(i) Pilot Boarding Area;
(ii) Abeam of Castle Hill;
(iii) Abeam of Sandy Point;
(iv) At position 41°39′32.4″ N;071°14′02.6″ W (Mount Hope Bay Junction Lighted Gong Buoy “MH” (LLNR 18790)).

(2) Vessels over 65 feet in length in-bound for berths in the Providence River are required to make SECURITE signal (SECURITE) calls on both VHF channels 13 and 16 at the following geographic locations:

(i) Pilot Boarding Area;
(ii) Abeam of Castle Hill;
(iii) Abeam of Sandy Point; and
(iv) At position 41°43′01.4″ N;071°20′41.7″ W (Conimicut Point Light (LLNR 18305));
(v) Abeam of Sabin Point; and
(vi) Upon mooring.

(3) Vessels over 65 feet in length out-bound for sea down the Providence River shall make SECURITE calls on VHF channels 13 and 16 at the following geographic locations:

(i) One-half hour prior to departure from the berth;
(ii) At departure from the berth;
(iii) Abeam of Sabin Point;
(iv) Abeam of Gaspee Point; and
(vi) Upon mooring.

(2) All waters of Rhode Island Sound, Narragansett Bay, the Providence and Taunton Rivers 2 miles ahead and 1 mile astern, and extending 1000 yards on either side of any high interest vessel transiting Narragansett Bay, or the Providence and Taunton Rivers.

(3) All waters and land within a 1000-yard radius of any high interest vessel moored at a waterfront facility in the Providence Captain of the Port zone.

(b) High interest vessels defined. For purposes of this section, high interest vessels operating in the Providence Captain of the Port zone include the following: barges or ships carrying liquefied petroleum gas (LPG), liquefied natural gas (LNG), chlorine, anhydrous ammonia, or any other cargo deemed to be high interest by the Captain of the Port, Providence.

(c) Regulations.

(1) Entry into or movement within these zones, including below the surface of the water, during times in which high interest vessels are present and the zones are enforced is prohibited unless authorized by the COTP Providence or authorized representative.

(2) The general regulations covering safety and security zones in §§165.23 and 165.33, respectively, of this part apply.

(3) All persons and vessels shall comply with the instructions of the COTP, and the designated on-scene U.S. Coast Guard personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on-board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels.

Coast Guard, DHS

§ 165.123 Cruise Ships, Sector Southeastern New England Captain of the Port (COTP) Zone.

(a) Location. The following areas are security zones: All navigable waters within the Southeastern New England Captain of the Port (COTP) Zone, extending from the surface to the sea floor:

(1) Within a 200-yard radius of any cruise ship that is underway and is under escort of U.S. Coast Guard law enforcement personnel or designated representative, or

(2) Within a 100-yard radius of any cruise ship that is anchored, at any berth or moored.

(b) Definitions. For the purposes of this section—

Cruise ship means a passenger vessel as defined in 46 U.S.C. 2101(22), that is authorized to carry more than 400 passengers and is 200 or more feet in length. A cruise ship under this section will also include ferries as defined in 46 CFR 2.10-25 that are authorized to carry more than 400 passengers and are 200 feet or more in length.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP to act on the COTP’s behalf. The designated representative may be on a Coast Guard vessel, or onboard Federal, state, or a local agency vessel that is authorized to act in support of the Coast Guard.

Southeastern New England COTP Zone is as defined in 33 CFR 3.05-20.

(c) Enforcement. The security zones described in this section will be activated and enforced upon entry of any cruise ship into the navigable waters of the United States (see 33 CFR 2.36(a) to include the 12 NM territorial sea) in the Southeastern New England COTP zone. This zone will remain activated at all times while a cruise ship is within the navigable waters of the United States in the Sector Southeastern New England COTP Zone. In addition, the Coast Guard may broadcast the area designated as a security zone for the duration of the enforcement period via Broadcast Notice to Mariners.

(d) Regulations. (1) In accordance with the general regulations in 33 CFR part 165, subpart D, no person or vessel may enter or move within the security zones created by this section unless granted permission to do so by the COTP Southeastern New England or the designated representative.

(2) All persons and vessels granted permission to enter a security zone must comply with the instructions of the COTP or the designated representative. Emergency response vessels are authorized to move within the zone,